

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ISAAC K. KASHAMA,

No. C 09-1298 SI

Plaintiff,

**ORDER DENYING PLAINTIFF'S
MOTION FOR A TEMPORARY
RESTRAINING ORDER**

v.

CENTURY INSURANCE GROUP a/k/a
CENTURY SURETY COMPANY a/k/a
PROCENTURY INSURANCE COMPANY,
DOES 1-50

Defendants.

Plaintiff has filed a motion for a temporary restraining order. Plaintiff seeks an order compelling defendants to renew an insurance policy that is set to expire on April 4, 2009. *See* Pl. Mot. at 2. [Docket No. 8]


The standard for issuing a TRO is similar to that required for a preliminary injunction. *See L.A. Unified Sch. Dist. v. U.S. Dist. Court*, 650 F.2d 1004, 1008 (9th Cir. 1981) (Ferguson, J., dissenting). Requests for injunctive relief may be satisfied by either of two sets of criteria. The “traditional” test requires the movant to: (1) establish a strong likelihood of success on the merits; (2) show the possibility of irreparable injury to the plaintiff if the preliminary relief is not granted; (3) show a balance of hardships favoring the movant; and (4) show that granting the injunction favors the public interest. *See L.A. Mem’l Coliseum Comm’n v. Nat’l Football League*, 634 F.2d 1197, 1200 (9th Cir.1980). The “alternative” test requires that the movant demonstrate either (1) a combination of probable success on the merits and the possibility of irreparable injury, or (2) that serious questions are raised and the balance of hardships tips sharply in his favor. *See Bernhardt v. Los Angeles County*, 339 F.3d 920, 925

1 (9th Cir. 2003). Under either test, the movant must demonstrate that there exists a significant threat of
2 irreparable injury. *Oakland Tribune, Inc. v. Chronicle Publ'g Co., Inc.*, 762 F.2d 1374, 1376 (9th
3 Cir.1985).

4 Plaintiff has not established that he has any legal entitlement to the renewal of his insurance
5 contract. There is thus no legal basis for awarding plaintiff the relief he seeks. Accordingly, plaintiff's
6 motion for a temporary restraining order is DENIED. If plaintiff continues to desire to move for a
7 preliminary injunction, he shall notice and brief such motion separately.

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9 **IT IS SO ORDERED.**

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11 Dated: April 3, 2009



SUSAN ILLSTON
United States District Judge